

Message Text

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SUBJECT: HUMAN RIGHTS REPORTING TO CONGRESS

REF: STATE 053199

1. THE FOLLOWING WAS PREPARED ON AN IF-ASKED BASIS FOR USE
BY THE DEPT SPOKESMAN. RESPONSES REPRESENT THE DEPT'S RE-
ACTION TO QUESTIONS WHICH MAY BE PROMPTED BY CONGRESSIONAL
RELEASE DECEMBER 12 OF 82 HUMAN RIGHTS REPORTS:

Q. WHAT ARE THESE REPORTS RELEASED BY THE CONGRESS
MARCH 12? WHY WERE THEY SENT TO THE CONGRESS?

A. THE DEPARTMENT FORWARDED TO THE SENATE FOREIGN
RELATIONS COMMITTEE AND THE HOUSE INTERNATIONAL RELATIONS
COMMITTEE COPIES OF UNCLASSIFIED REPORTS, MOST OF THEM
PREPARED IN NOVEMBER AND DECEMBER OF LAST YEAR, CONTAINING
INFORMATION ON HUMAN RIGHTS IN EIGHTY-TWO COUNTRIES. THESE
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UNCLASSIFIED

PAGE 02 STATE 056043

REPORTS WERE PREPARED IN COMPLIANCE WITH SECURITY ASSIST-
ANCE LEGISLATION (SECTION 502B, FOREIGN ASSISTANCE ACT)
PASSED IN 1976 WHICH REQUIRES US TO SUBMIT HUMAN RIGHTS
REPORTS WITH THE REGULAR SECURITY ASSISTANCE CONGRESSIONAL
PRESENTATION. THIS LAW REQUIRES US TO PROVIDE INFORMATION
REGARDING HUMAN RIGHTS PRACTICES IN EACH COUNTRY FOR WHICH

WE ARE PROPOSING SECURITY ASSISTANCE. THE INFORMATION IS INTENDED TO ASSIST THE CONGRESS IN ITS LAW-MAKING AND IN ITS EVALUATION OF SECURITY ASSISTANCE REQUESTS.

Q. ARE THESE REPORTS INTENDED TO SINGLE OUT COUNTRIES VIOLATING HUMAN RIGHTS?

A. NO. THESE REPORTS COVER ONLY THOSE COUNTRIES FOR WHICH WE ARE PROPOSING SECURITY ASSISTANCE. THE REPORTS ARE DESCRIPTIVE AND FACTUAL.

Q. WHAT INFORMATION DID THE CONGRESS REQUIRE THE DEPARTMENT TO INCLUDE IN THE REPORTS?

A. THE LAW REQUIRES US TO PROVIDE FULL AND COMPLETE INFORMATION REGARDING HUMAN RIGHTS PRACTICES IN A COUNTRY PROPOSED FOR SECURITY ASSISTANCE. IN ADDITION THE LAW REQUIRES US TO CONSIDER RELEVANT FINDINGS OF APPROPRIATE INTERNATIONAL ORGANIZATIONS, INCLUDING NON-GOVERNMENTAL ENTITIES. THE HISTORY OF THE LEGISLATION SUGGESTS THAT THE CONGRESS WANTED TO REACH ITS OWN CONCLUSIONS REGARDING THE STATUS OF HUMAN RIGHTS IN EACH COUNTRY. THE FORMAT WAS DESIGNED TO ADDRESS THE CHIEF HUMAN RIGHTS CONCERNS REFLECTED IN THE LAW, IN THE CONTEXT OF THE POLITICAL AND LEGAL SITUATION IN THE COUNTRY. WE CONSULTED WITH THE HILL ON THE FORMAT.

Q. HOW DID THE USG ARRIVE AT SPECIFIC OBSERVATIONS CONTAINED IN THE REPORT? WE NOTE SUCH STATEMENTS AS UNCLASSIFIED

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PAGE 03 STATE 056043

"OCCASIONAL ABUSE," "NOT THE RULE," ETC.

A. THE REPORTS WERE DRAFTED IN THE DEPARTMENT BASED ON INFORMATION FROM VARIOUS SOURCES, INCLUDING THE PRIVATE INTERNATIONAL ORGANIZATIONS THAT CONCERN THEMSELVES WITH HUMAN RIGHTS. THE QUALIFYING STATEMENTS TO WHICH YOU REFER WERE BASED ON THE BEST INFORMATION WE HAD AVAILABLE. I DO NOT WANT TO GET INTO SPECIFICS. THE REPORTS, AS I HAVE SAID, CONTAIN THE BEST INFORMATION WE HAD AVAILABLE TO US. I BELIEVE THEY SPEAK FOR THEMSELVES.

Q. WERE THESE REPORTS REVIEWED AND REVISED BY THE CURRENT ADMINISTRATION?

A. OF THE 82 REPORTS, ONE WAS UPDATED TO REFLECT RECENT EVENTS IN INDIA, AND FIVE (SENEGAL, PORTUGAL, SPAIN, JAMAICA, COSTA RICA) HAD MINOR FACTUAL REVISIONS. OTHERWISE, THE REPORTS SUBSTANTIALLY REMAINED AS PREPARED LAST YEAR TO AVOID FURTHER DELAY IN SUBMITTING THE SECURITY

ASSISTANCE PROPOSALS.

Q. BUT THIS ADMINISTRATION DID MAKE DOWNWARD ADJUSTMENTS FOR SEVERAL COUNTRIES. HOW DO THESE REPORTS RELATE TO THESE ACTIONS BY THIS ADMINISTRATION?

A. AS I HAVE SAID, THE BULK OF THESE REPORTS WERE COMPLETED IN DECEMBER. THE INFORMATION IN THEM WAS A CONSIDERATION IN THIS ADMINISTRATION'S DECISION TO REDUCE OR CUT PROPOSED SECURITY LEVELS FOR ARGENTINA, URUGUAY, AND ETHIOPIA.

Q. WHAT ABOUT OTHER COUNTRIES--MANY OF THEM HUMAN RIGHTS VIOLATORS--NOT COVERED IN THE 82 REPORTS?

A. AS I HAVE STATED PREVIOUSLY WE PREPARED REPORTS ONLY UNCLASSIFIED

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PAGE 04 STATE 056043

FOR THOSE COUNTRIES PROPOSED TO RECEIVE SECURITY ASSISTANCE.

Q. IS THERE A CLASSIFIED VERSION OF THESE REPORTS?

A. NO. THE CONGRESS ASKED LAST YEAR THAT WE PROVIDE INFORMATION THAT COULD BE MADE AVAILABLE TO THE PUBLIC. ACCORDINGLY, THE REPORTS WERE ORIGINALLY DRAFTED WITH THIS CONSIDERATION IN MIND. UNTIL THEY WERE FORMALLY FORWARDED TO THE CONGRESS, HOWEVER, THEY WERE CONTROLLED TO PREVENT PREMATURE RELEASE.

Q. ISN'T THERE A FOLLOW-UP REPORT THAT HAS TO BE SUBMITTED?

A. YOU ARE PROBABLY REFERRING TO A SECOND REPORTING REQUIREMENT UNDER THE LAW. LET ME CLARIFY. UNDER SECTION 502B(C), THE CONGRESS CAN REQUEST THAT WE PREPARE WITHIN 30 DAYS A "STATEMENT" ON A SPECIFICALLY-NAMED COUNTRY, PROVIDING THE CONGRESS:

- INFORMATION ABOUT HUMAN RIGHTS IN THE COUNTRY SPECIFIED;

- STEPS THE US HAS TAKEN TO PROMOTE HUMAN RIGHTS IN THIS COUNTRY AND TO DISASSOCIATE THE US FROM ANY HUMAN RIGHTS ABUSES;

- JUSTIFICATION FOR THE SECURITY ASSISTANCE PROGRAM WITH THE COUNTRY NAMED.

SUCH "STATEMENTS" WERE SENT THE CONGRESS LAST FALL COVER-
ING ARGENTINA, HAITI, PERU, INDONESIA, IRAN AND THE
PHILIPPINES.

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PAGE 05 STATE 056043

Q. WHAT IS THE PURPOSE OF THIS SECOND REPORT?

A. IT PERMITS THE CONGRESS TO FOLLOW-UP ON HUMAN RIGHTS
DEVELOPMENTS IN A GIVEN COUNTRY WHICH IS RECEIVING
SECURITY ASSISTANCE.

Q. WHAT ARE THE INTERNATIONAL AND PRIVATE ORGANIZATIONS,
AMNESTY INTERNATIONAL, FOR EXAMPLE, REFERRED TO IN THE
REPORTS?

A. THE REPORTS REFER TO INFORMATION AND FINDINGS OF THE
UNITED NATIONS, THE UN HUMAN RIGHTS COMMISSION, THE
EUROPEAN HUMAN RIGHTS COMMISSION, AND HEARINGS IN THE US
CONGRESS.

THE "PRIVATE," OR NON-GOVERNMENTAL ORGANIZATIONS AS THEY
ARE DESCRIBED IN THE LAW, INCLUDE:

INTERNATIONAL COMMITTEE OF THE RED CROSS, WITH HEAD-
QUARTERS IN GENEVA; THE FINDINGS OF RED CROSS INVESTIGA-
TIONS ARE CONFIDENTIAL UNLESS THE COUNTRY IN QUESTION
AGREES TO THEIR RELEASE; OUR REPORTS DREW ONLY ON AVAIL-
ABLE FINDINGS ON THE PUBLIC RECORD.

AMNESTY INTERNATIONAL, A VOLUNTARY HUMAN RIGHTS ORGANIZA-
TION WITH ITS HEADQUARTERS IN LONDON; AMNESTY HAS OFFICES
IN THE US IN NEW YORK, WASHINGTON AND SAN FRANCISCO, PLUS
NUMEROUS LOCAL VOLUNTARY CHAPTERS.

FREEDOM HOUSE, IS AN AMERICAN FOUNDATION LOCATED IN NEW
YORK AT 20 WEST 40TH STREET. IT ISSUES AN ANNUAL
COMPARATIVE SURVEY OF FREEDOM OF THE WORLD'S COUNTRIES,
RATING THE STATUS OF POLITICAL RIGHTS AND CIVIL RIGHTS ON
A SEVEN-POINT SCALE, AND LISTING THE STATUS OF FREEDOM IN
EACH COUNTRY AS FREE, "PARTLY FREE" OR "NOT FREE."

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PAGE 06 STATE 056043

THE INTERNATIONAL LEAGUE OF HUMAN RIGHTS (ILHR) (FORMERLY

THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN) HAS ITS INTERNATIONAL OFFICE IN GENEVA; ITS NEW YORK OFFICE IS AT 777 UNITED NATIONS PLAZA. THE ILHR LOOKS INTO HUMAN RIGHTS ISSUES AND PERIODICALLY ISSUES REPORTS OF ITS FINDINGS.

Q. WHY DID YOU USE REPORTS FROM THESE PRIVATE ORGANIZATIONS?

A. THE LAW REQUIRES IT.

Q. WHAT ABOUT COUNTRIES LIKE BRAZIL AND URUGUAY, WHICH REJECTED US ASSISTANCE AND/OR TERMINATED OUR MILITARY ASSISTANCE AGREEMENT?

A. SOME OF THE COUNTRIES IN QUESTION (E.G. ARGENTINA AND URUGUAY) HAVE REJECTED OR CANCELLED PENDING REQUESTS FOR CERTAIN TYPES OF MILITARY ASSISTANCE-- PRINCIPALLY FOREIGN MILITARY SALES CREDITS--BUT WILL REMAIN IN THE FY 78 PROGRAM FOR OTHER FORMS OF ASSISTANCE SUCH AS TRAINING OR FMS CASH SALES. THESE ALSO REQUIRE HUMAN RIGHTS REPORTS UNDER THE LAW.

IN THE CASE OF BRAZIL, WE WILL, OF COURSE, FORMALLY NOTIFY THE CONGRESS THAT BRAZIL HAS RENOUNCED ANY TYPE OF MILITARY ASSISTANCE WHICH DEPENDS ON SUCH A REPORT. IN FACT, HOWEVER, THE REPORTS--INCLUDING ONE ON BRAZIL--HAD ALREADY BEEN SENT TO THE CONGRESSIONAL COMMITTEES WHEN WE RECEIVED THE BRAZILIAN NOTIFICATION. WE HAVE INDICATIONS THAT COPIES ALSO REACHED REPRESENTATIVES OF THE MEDIA.

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